

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

THE STATE OF MISSISSIPPI, EX REL.
JIM HOOD, ATTORNEY GENERAL
FOR THE STATE OF MISSISSIPPI,

Plaintiff

v.

ENTERGY MISSISSIPPI, INC., ENTERGY
CORPORATION, ENTERGY SERVICES,
INC., AND ENTERGY POWER, INC.,

Defendants

No. 3:08-CV-780-CWR-LRA

PLAINTIFF'S MOTION TO STRIKE SUPPLEMENTAL EXPERT REPORTS

NOW INTO COURT, through undersigned counsel, comes Jim Hood, the Attorney General for the State of Mississippi (the “State” or “Plaintiff”), to submit this Motion to Strike Supplemental Expert Reports (“Motion to Strike”) prepared on behalf of Defendants Entergy Mississippi, Inc., Entergy Corporation, Entergy Services, Inc., and Entergy Power, Inc. (collectively referred to herein as “Entergy” or “Defendants”). As demonstrated more fully in Plaintiff’s Memorandum Brief in Support of its Motion to Strike Supplemental Expert Reports, which is incorporated by reference herein, the March 15, 2019 Supplemental Expert Reports prepared by Defendants’ witnesses, Eugene T. Meehan, Donald J. Morrow, Bruce M. Louiselle, Joe D. Pace, and John P. Hurstell, are untimely and not permissible under the Case Management Order entered in this case on June 5, 2017 and create prejudice against the State in its ability to present its case and carry its burden of proof in this matter.

In support of this motion, Plaintiff attaches the following exhibits:

Exhibit “A” – List of New or Modified Exhibits Prepared in Support of Defendants’ Supplemental Expert Reports

Exhibit “B” – Second Supplemental Expert Report of John P. Hurstell for Entergy Mississippi, Inc., et. al.

Exhibit “C” – First Supplemental Expert Report of Eugene T. Meehan for Entergy Mississippi, Inc., et. al.

Exhibit “D” – First Supplemental Expert Report of Donald J. Morrow for Entergy Mississippi, Inc., et. al.

Exhibit “E” – First Supplemental Expert Report of Joe D. Pace, PhD. for Entergy Mississippi, Inc., et. al.

Exhibit “F” – First Supplemental Expert Report of Bruce M. Louiselle for Entergy Mississippi, Inc., et. al.

Plaintiff does not, by attaching the above-referenced supplemental reports, assert that they should be admitted into evidence and would object to any such admission. Plaintiff respectfully requests that this Court grant its Motion to Strike Supplemental Expert Reports and strike the March 15, 2019 Supplemental Expert Reports prepared by Defendants’ witnesses, Eugene T. Meehan, Donald J. Morrow, Bruce M. Louiselle, Joe D. Pace, and John P. Hurstell.

**By: JIM HOOD, ATTORNEY GENERAL
STATE OF MISSISSIPPI**

/s/ LUKE F. PIONTEK

J. Kenton Parsons (La. Bar No. 10377)

Luke F. Piontek (La. Bar No. 19979)

Andre G. Bourgeois (La. Bar No. 19298)

Shelley Ann McGlathery (La. Bar No. 32585)

Pro Hac Vice

**ROEDEL PARSONS KOCH BLACHE
BALHOFF & McCOLLISTER**

A Law Corporation

8440 Jefferson Highway, Suite 301

Baton Rouge, Louisiana 70809

Telephone: (225) 929-7033

Facsimile: (225) 928-4925

Counsel for Plaintiff

Vincent F. Kilborn, III, Esq. (MSB #103028)
Special Assistant Attorney General
Post Office Box 66710
Mobile, Alabama 36660
Telephone: (251) 479-9010
Fax: (251) 479-6747

Harold E. Pizzetta, III, MSB No. 99867
Bridgette W. Wiggins, MSB No. 9676
Office of the Attorney General
P. O. Box 220
Jackson, Mississippi 39225-2947
Telephone: (601) 359-4230
Facsimile: (601) 359-4231

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, Luke F. Piontek, Attorney for the State of Mississippi, do hereby certify that on March 28, 2019, I caused to be electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

James L. Robertson, Esq.
Michael B. Wallace, Esq.
Charles E. Ross, Esq.
Rebecca W. Hawkins, Esq.
Wise, Carter, Child & Caraway, PA
Post Office Box 651
Jackson, Mississippi 39205

John A. Braymer, Esq.
Associate General Counsel
Entergy Services, Inc.
639 Loyola Avenue, #2600
New Orleans, LA 70113

Roy D. Campbell, III
J. William Manuel
Alicia N. Netterville
Bradley Arant Boult Cummings, LLP
One Jackson Place, Suite 400
188 East Capitol Street
Post Office Box 1789
Jackson, MS 39215-1789

Tianna H. Raby, Esq.
Christopher R. Shaw, Esq.
Entergy Mississippi, Inc.
308 E. Pearl Street, Suite 700 (39201)
Mail Unit M-ELEC-4A
P.O. Box 1640
Jackson, Mississippi 39215-1640

Jay Breedveld, Esq.
Mark Strain, Esq.
Duggins Wren Mann & Romero
600 Congress Avenue, Suite 1900
Austin, TX 78701

John D. Martin, Esq.
Nelson Mullins Riley & Scarborough, LLP
1320 Main Street, 17th Floor
Columbia, SC 29201

Sanford I. Weisburst, *Pro Hac Vice*
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100
sandyweisburst@quinnemanuel.com

This the 28th day of March, 2019.

/s/ LUKE F. PIONTEK
Luke F. Piontek (La. Bar No. 19979)